

AT THE ORGANIZATIONAL MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON WEDNESDAY, JANUARY 3, 2007.

Board Members Present: **John F. Coates**
 Steven E. Nixon
 Larry W. Aylor
 William C. Chase, Jr.
 Sue D. Hansohn
 Brad C. Rosenberger
 Steven L. Walker

Staff Present: Frank T. Bossio, County Administrator
 J. David Maddox, County Attorney
 Valerie H. Lamb, Finance Director
 John C. Egertson, Planning Director
 Paul Howard, Director of Environmental Services
 Peggy S. Crane, Deputy Clerk

CALL TO ORDER

Mr. Bossio, County Administrator, called the meeting to order at 10:00 a.m. and explained that he would preside until a Chairman was elected.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Chase led the Board and the audience in the Pledge of Allegiance to the flag.

ELECTION OF CHAIRMAN

Mr. Bossio opened the floor for nominations for Chairman of the Board for calendar year 2007.

Mr. Nixon moved, seconded by Mr. Chase, to nominate John Coates for Chairman.

Mr. Rosenberger moved that the nominations be closed.

Mr. Bossio called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Coates thanked the Board for their support and stated he was looking forward to another year as Chairman.

ELECTION OF VICE-CHAIRMAN

Mr. Coates opened the floor for nominations for Vice Chairman for 2007.

Mr. Chase moved, seconded by Mr. Walker, to nominate Steven Nixon as Vice Chairman.

With no further nominations, Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0. **CONSIDERATION OF RULES OF PROCEDURE FOR 2007**

Mr. Coates stated the Board would consider the Rules of Procedure for 2007.

Mr. Walker moved, seconded by Mr. Nixon, to accept the Rules as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS

Mrs. Hansohn asked that items e. and f. under the **CONSENT AGENDA** be removed and discussed later during the Rules Committee report.

Mr. Bossio asked that the following items be deleted from the agenda under **GENERAL COUNTY BUSINESS: CONSIDERATION OF AWARDING A CONTRACT TO ZENON MEMBRANE SOLUTIONS** and **CONSIDERATION OF AWARDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO REID ENGINEERING**. He explained that late changes had been made in the contracts which required further review and asked that they be considered during the Board's Special Called Meeting on January 16, 2007.

Mr. Walker asked whether the contracts should be discussed in a Closed Session. Mr. David Maddox, County Attorney, replied that he could not make that determination at the present time.

Mr. Nixon moved, seconded by Mrs. Hansohn, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

APPROVAL OF MINUTES

The minutes of the December 5, 2006 regular meetings were presented to the Board for approval.

Mr. Walker moved, seconded by Mr. Aylor, to approve the minutes as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSENT AGENDA

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider authorizing a public hearing for February 6, 2007 to receive comments on the sale of County property in the Culpeper Industrial AirPark.

b. The Board will consider approving a budget amendment for the Electoral Board and Registrar's Office's to reimburse Buildings & Grounds Department for additional funds received from HAVA through the State Board of Elections in the amount of \$7,134.66.

c. The Board will consider acceptance and appropriation of a grant for the Sheriff's Office from the Department of Criminal Justice Services for a Criminal Justice Records Systems Improvement Grant in the amount of \$26,954. Federal funds \$20,215; \$6,739 from Sheriff's operating budget.

d. The Board will consider acceptance of a grant and appropriation of the funding for the Clerk of the Circuit Court for funds received from The Library of Virginia in the amount of \$3,094 and \$4,761. The funds will be used for records preservation. No match required.

Items e. and f. were pulled from the Consent Agenda and moved to the Rules Committee report.

Mr. Walker moved, seconded by Mr. Nixon, to approve the Consent Agenda as amended.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

GENERAL COUNTY BUSINESS

INTRODUCTION OF NEW EMPLOYEE

Mr. John Egertson, Planning Director, introduced John G. Cooley, the County's new Planning and Zoning Technician, to the Board. He reviewed Mr. Cooley's background and education. He stated that Mr. Cooley had assumed the position on December 15, 2006, to fill the vacancy created when Laura Loveday was promoted to Comprehensive Planner.

Mr. Cooley stated he was looking forward to working with the Board and County staff. Mr. Coates welcomed Mr. Cooley and assured him his VDOT experience and talents would be utilized.

CONSIDERATION OF TRANSFERRING REVENUE SHARING FUNDS

Mr. Egertson presented a resolution requesting VDOT to transfer revenue sharing funds from the project at Route 29 at Granite Boulevard with excess funds to the project at Route 229 at Route 685, which had a shortfall. He explained there were funds left over from the work done on the intersection/connector road between Route 29 and Mountain Run Lake Road. He said that Mr. Donald B. Gore, Culpeper Residency Administrator, had requested that leftover funds in the amount of \$98,732.66 be moved to the project at the 229/685 intersection that required

additional funding. He noted that no additional expenses would be involved since the request was to shift funds from one project to another.

Mr. Walker inquired whether traffic signalization was a part of the Route 29 project. Mr. Egertson replied that revenue sharing funds were spent for part of the road work which ran from Route 29 into the Stone Ridge Subdivision and intersected with the connector road between Routes 29 and 718. He added that the crossover, turn lanes on Route 29, and the signalization would be covered by VDOT funds and not from revenue sharing.

Mr. Walker pointed out that VDOT did not have funds for signalization at the present time. Mr. Egertson stated that VDOT wanted to see how the intersection operated and to check the warrants before moving forward with signalization, and he agreed that signalization was important at that location.

Mr. Coates commended VDOT and the developer for their work at the intersection and said he was looking forward to signalization as soon as possible. Mr. Egertson stated that signalization was part of the original plan, and he would continue to urge VDOT to install the signal.

Mr. Coates stated that he was looking forward to having turn lanes and signals at Routes 229/685 completed. Mrs. Hansohn noted that the signal at 229/685 had been promised for a much longer time.

Mr. Nixon inquired whether revenue sharing funds could be moved to provide signalization. Mr. Egertson referred the question to Mr. Gore, who was in the audience.

Mr. Gore replied that revenue sharing funds could only be transferred to another revenue sharing project and could not be used for signalization,

Mrs. Hansohn moved, seconded by Mr. Aylor, to approve the resolution

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

LITERARY LOAN APPLICATION

Mr. Bossio asked the Board to consider a resolution to approve the School Board to make an application to the Department of Education to borrow \$7.5 million from the Literary Loan Fund. He recalled that at the December 5, 2006, the Board approved borrowing \$7.5 million in short-term notes for the new elementary school, and the short-term notes would be retired upon receipt of the Literary Loan. He said that School Board staff was in the process of

completing the application and the final drawings of the new school, and he asked for the Board's approval of the resolution.

Mr. Rosenberger moved, seconded by Mrs. Hansohn, to approve the resolution.

Mr. Nixon asked for reassurance that the application would be submitted in a timely manner to the Department of Education. Mr. Egertson affirmed that the application process was on schedule at the present time. Mr. Walker pointed out that the County was not at fault for the delay in submitting a previous application.

Mr. Chase called for question.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSIDERATION OF LEASE RENEWAL

Mr. Bossio asked the Board to consider renewing a five-year lease with the Minuteman Composite Squadron of the Virginia Wing, Civil Air Patrol. He explained that the Civil Air Patrol provided search and rescue operations, trained cadets and conducted a glider program. He recommended approval of the lease for a five-year term at \$50 per year.

Mr. Chase moved, seconded by Mr. Walker, to approve a five-year lease renewal for the Civil Air Patrol.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSIDERATION OF AWARDING A CONTRACT TO ZENON MEMBRANE SOLUTION

Pulled for Special Called Meeting on January 16, 2007.

CONSIDERATION OF LEASE FOR REGISTRAR'S OFFICE WITH DAROB, LLC

Mr. Bossio asked the Board to consider a short-term lease with Darob, LLC, for the Registrar's Office located at 131 and 133 W. Davis Street. He explained that the building was being sold and a short-term lease would provide an opportunity to explore whether the office should be moved or the current building refurbished prior to an extended lease.

Mr. Chase moved, seconded by Mr. Aylor, to approve the temporary lease.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSIDERATION OF AWARDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO REID ENGINEERING

Pulled for Special Called Meeting on January 16, 2007.

CONSIDERATION OF AWARDING CONTRACT TO TIMMONS GROUP

Mr. Egertson recalled that the County had accepted a grant under the Water Quality Improvement Fund to hire an outside consultant to assist in creating a Stormwater Management Ordinance. He stated that an RFP had been issued and several qualified responses were received. He said that Timmons Engineering had been recommended as the most qualified and asked the Board to approve a contract to the Timmons Group to draft a Stormwater Management Ordinance. He reminded the Board that the only County contribution involved would be in-kind services.

Mr. Chase moved, seconded by Mrs. Hansohn, to approve awarding a contract to the Timmons Group.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

COMMITTEE REPORTS

BUILDINGS & GROUNDS REPORT - DECEMBER 12, 2006

Mr. Nixon reported that the Buildings and Grounds Committee met and was forwarding the following recommendations to the full Board:

1. In favor of Committee working with VDOT for a left-turn lane from Route 666 onto Route 29, but the Committee is not in favor of building a right-turn onto Jonas Road.
2. Recommending that the dollar amount be set at \$1,000 providing all requirements had been met within the policy for Placement of Memorials or Donated Amenities on County Property. Any amount or value over \$1,000 would require approval by the Board of Supervisors, pursuant to the policy.

Mr. Nixon stated that the first recommendation was to approve a left-turn lane at Routes 666/29, with Mr. Coates to continue to work with VDOT to rectify problems encountered in that area.

Mr. Paul Howard, Environmental Services Director, explained that the request would require an additional appropriation and recommended that an additional amount of \$69,000 from the General Fund be approved to implement the recommendations.

Mr. Nixon moved, seconded by Mr. Aylor, to approve moving forward with the

recommendation and appropriate \$69,000 from the General Fund.

Mr. Coates asked for further information on the need for an additional \$69,000. Mr. Howard explained the additional funding was required for design work by Dewberry and Davis for the turn-lane at Routes 666/29 and for the construction to build that turn lane. Mr. Nixon added that the final cost would be determined after a decision had been made for another turn lane, but \$69,000 was the cost for the current design.

Mr. Coates asked for clarification on the source of the funding for the project. Mr. Howard explained that the original funding for the off-site improvements was part of the School bond referendum and included approximately \$222,000 revenue sharing money from VDOT for improvements to Green's Corner and Jonas Road.

Mr. Coates asked whether there was a possibility the \$69,000 would not be needed. Mr. Howard replied that if the current scope of work did not change, the \$69,000 would be required. He said this work was outside the scope of work included in the bond referendum for the high school and was not included in the preliminary engineering report (PER).

Mr. Nixon asked Mr. Howard to provide additional background information. Mr. Howard explained that staff had drafted a PER for the improvements to Route 666 and Jonas Road, upon which the School Bond referendum for the offsite improvements for the high school was based. He said that the County borrowed that money and initiated design work. VDOT reviewed the design and recommended a right-turn lane from Route 666 onto Jonas Road and an additional turn lane at Routes 666/29, which were not covered by the fee or the original proposal for that work.

Mr. Chase asked why a right turn onto Jonas Road had not been included. Mr. Howard replied that when the warrants and PER were written, it was felt there would not be sufficient traffic to warrant that turn, but VDOT now believed there would be more traffic than anticipated due to the sports complex.

Mr. Nixon stated that the Buildings and Grounds Committee felt that a right-turn lane was not justified, but agreed to ask Mr. Coates work with VDOT to try to reach a compromise regarding the possibility of deleting that lane and proceeding with the balance of the construction work including a left-turn lane from 666 to 29, a pass-through lane, and a right-turn lane from that intersection.

Mr. Coates acknowledged the presence of Ms. Taylor from Congressman Cantor's office and reported that Congressman Cantor had obtained \$2 million from Congress for this project. He said that he hoped that some of the money could be utilized for enhancing the safety at that

future interchange.

Mr. Nixon restated his motion to move forward with the preliminary design as presented to the Committee for \$69,000 and to have Mr. Coates work with VDOT to try to enhance that design and reduce the cost if possible and move forward with the construction of the intersection.

Mr. Walker asked whether the reason that \$69,000 was being taken from the General Fund was because it was for the school site. Mr. Howard agreed the funds were for the additional work requested for the school site. Mr. Walker asked whether the funds would be marked for the school project. Mr. Howard stated that they would be designated as such.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Nixon reported that the Buildings and Grounds Committee was recommending that any amount of \$1,000 or less would be accepted without Board approval and anything over that amount would come before the Board for official recognition of those contributors.

Mr. Bossio stated that subsequent to the Buildings and Grounds Committee meeting, the Parks and Recreation Committee had reviewed the proposal and identified issues that needed to be reconciled with what was being done at the sports complex. He recommended that the Board postpone action on this item.

Mr. Nixon moved, seconded by Mr. Walker, to postpone the recommendation for 30 days in order for the Parks and Recreation Committee to prepare comments to the Buildings and Grounds Committee before a recommendation was brought back to the full Board.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #1 for details of meeting.

RULES COMMITTEE REPORT - DECEMBER 12, 2006

Mr. Walker reported that the Rules Committee met and was forwarding the following recommendations to the full Board:

1. Forwarding to the full Board for advertising for public hearing, without a recommendation on the merits because ordinances have not been drafted, but need to be considered by the Board at the February meeting. The proposed ordinances include changes to various vehicle tax and license ordinances in Chapter 10 of the County Code and amending Sec. 12-2 for filing

by exception for certain personal property, as follows: (1) Amend Sec. 10-22 to establish a new license year; (2) Amend Sec. 10-23 to reflect a 2007 commencement date; (3) Amend Sec. 10-24 to change license year to commence in December; (4) Amend Sec. 10-27 to create permanent decal; (5) Repeal Sec. 10-29, Display of expired decal; and (6) Amend Sec. 12-2(a), to permit filing by exception for motor vehicles, trailers, and boats.

2. Recommending to the full Board to approve the refund request from Culpeper Recreation Foundation, Inc. for electrical permits in the amount of \$356.23.

3. Recommending to the full Board that the agreement with CAMBO be approved. The motion was amended to read that no motorized vehicles were allowed on the trails except when maintenance was being done.

4. Recommending to the full Board that the request from the City of Fredericksburg to partner and for financial support for a Watershed Property Manager/river Steward position be denied.

Mr. Walker reported that the two items pulled from the Consent Agenda would be considered first. He asked the Board to consider authorizing a public hearing for February 6, 2007 to receive comments on amendments to Chapter 10, Section 10-22 to establish a new license year; Section 10-23(a), to Reflect a 2007 Commencement Date; to amend Section 10-27 to Replace Annual Vehicle License Decals with Permanent Decals, and to Repeal Section 10-29 of the County Code.

Mr. Mark Taylor, Assistant County Attorney, apologized for a last-minute handout that was prepared after a meeting this morning with the Treasurer and the Commissioner of the Revenue on concerns regarding implementation of the changes to the ordinance. He distributed a revised version of the ordinance that would be advertised for a public hearing. He explained that the changes were made to correct the implementation cycle set in the ordinance that would take the motor vehicle license fee, currently running from April 16 to the following April 15, to a new motor vehicle license fee year that would run from December 6 to the following December 5. In 2007, the change would provide a short motor vehicle license fee year that would run from April 16, 2007 through December 5, 2007, and a full year would begin the following December 6, 2007 and run to December 5, 2008 as set forth in Section 10-22.

Mr. Taylor indicated that in Section 10-24, the first sentence was added to note that the initial motor vehicle license fee levy for the short year of April 16, 2007 to December 5, 2007, was actually 7 months and 20 days, and would be prorated monthly and paid in April 2007; and the first full cycle for billing of motor vehicle license fees would be December 6, 2007 to

December 5, 2008.

The motor vehicle license fee paid in April 2007 for 7 months, and then the period December 6, 2007 to December 5, 2008 would be the first full year billing cycle. There would not be any period for which a motor vehicle license fee would not be paid nor would there be any overlap between one year and the next.

Mr. Chase questioned the need to make any change because it would be confusing and burdensome to the taxpayers.

Mrs. Hansohn explained that the idea was to purchase a permanent decal, which would be renewed each year. She suggested that the County not charge for the decal at all since the only reason a decal was required was for landfill purposes. She added that when an individual purchased a vehicle, he/she would purchase a permanent decal that would remain on the vehicle and make the process simpler for the citizens.

Mr. Chase asked how the yearly revenue generated by the vehicle fees would be replaced. Mrs. Hansohn replied that the County did not have to do away with the decal fee, but she felt that sufficient funds had been realized as a result of the increase in personal property taxes.

Mr. Walker asked that the discussion focus on the decal rate before moving to the personal property tax issue. Mrs. Hansohn pointed out that the two tied together because if the Board decided not to charge for the decals, it needed to determine if the difference could be recovered.

Mr. Walker stated that the recommendation being discussed was to advertise for a public hearing, and consideration could be given to adding several options, such as no-fee decals, but details regarding funding would need to be addressed prior to advertising.

Mr. Chase reiterated that that any revenues lost from decal fees would have to be made up, and it would not be fair to add them to personal property taxes. Mrs. Hansohn stated that she would like to know how much would be received from the personal property tax over and above what had been projected. She felt that any additional revenues could be used to make up the difference and to determine what could be eliminated or reduced.

Mr. Nixon stated it was his understanding that the decal fees would not be eliminated, but the yearly decals would be replaced by a permanent decal, and the yearly \$25 decal fee would still be charged and no revenues would be lost. Both Mr. Bossio and Mr. Walker agreed with Mr. Nixon's statement.

Mr. Taylor addressed the question regarding adding details and options in advance of

the public hearing in February. He stated the legal requirement was that the ordinance to be heard and discussed must exist in its draft form, with copies of it available in the Administrator's office and the Board's Clerk's office for inspection by the public at the time the advertisement for the hearing appeared in the newspapers. He felt that a revised ordinance could be completed prior to advertising, after discussions were held with the Treasurer and Commissioner of the Revenue.

Mr. Rosenberger pointed out that the idea was to eliminate citizens having to pay twice a year, and they could pay once a year in December and not have to return to obtain a decal. He stated that there appeared to be sufficient funds received through the increase in personal property taxes and the Board could waive the fee from April until December and start anew in December if they chose to do so. He said that were options available that could be considered.

Mr. Walker stated that the options could be added in the advertisement and the amounts did not have to be included since the Board could change the fees without an ordinance amendment. Mr. Taylor pointed out that the levy was adopted separately and the option to waive a fee for a period of time or permanently could be added in the ordinance, but it would be helpful to have guidance from the Board so that the language could be included in the draft when it was advertised for the public hearing.

Mr. Walker stated that since the actual amount of the fee could be changed by the Board at any time, it would not have to be set forth in the ordinance. Mr. Taylor agreed.

Mr. Maddox stated that the Board could decrease a tax or fee without a public hearing. Mr. Walker asked whether a fee could be eliminated entirely. Mr. Maddox replied that he believed it could be.

Mr. Walker asked Mr. David DeJarnette, County Treasurer, to address the printing process involved with the proposed change.

Mr. DeJarnette stated there had been lengthy discussions in the November and December Board meetings regarding tax bills, due dates, and the current year's tax billing process. He stated at the December Rules Committee meeting, several alternatives were suggested to streamline this process. He said one of his suggestions was to go to a permanent decal to eliminate one of the deadlines that the citizens currently had on April 15, by which they must return the fee and a reporting form in order to apply for a new vehicle decal. He said the intent was to eliminate that one additional deadline, establish a permanent decal, and attach that fee to the annual personal property billing sent out in October with a December 5 due date. The option would not eliminate a tax, but would eliminate the April 15 deadline. He said this

would cause a separation of the Commissioner's annual reporting form for tangible personal property and the Treasurer's application for a vehicle decal. He stated the form was generally prepared in February and sent out March 1, and the form would still have to be sent out this year and that was the reason he was attempting to get this done in the January and February meetings so that the form could go out on time. He said he needed to know the language for that form, the amount of the license fee, and whether the County would be selling an annual or a permanent decal.

Mr. Aylor stated that this proposal would be beneficial for the citizens of Culpeper and for the Commissioner and the Treasurer. He asked whether there would be savings in the cost of processing. Mr. DeJarnette replied he would still be required to do a mailing, and the Commissioner would still have to mail her reporting form, but there was another section that the Commissioner could discuss as a recommendation of change to the reporting requirements that would save the amount of paperwork to be returned, and it would eliminate approximately 60 days that the Treasurer's Office had to deal with an annual sticker every year. He said his office would bill the decal fee with the annual billing for personal property taxes and, as a result, it would allow his office to increase its collection efforts that now lay dormant during this period.

Mr. Chase asked how vehicles needing decals would be tracked. Mr. DeJarnette replied that his office worked closely with the Commissioner's Office to identify ownership records and to receive downloads from DMV records. He added that there was a Code requirement that a citizen had a responsibility to purchase a decal within 30 days of the purchase of a vehicle.

Mrs. Hansohn asked whether the permanent decals had been designed. Mr. DeJarnette replied that he had talked with the current vendor, M&W Printers, about a permanent sticker. He understood that the design would be similar except the expiration date would be eliminated, a more permanent glue would be used, and an increase in the thickness, with an indication that the decal was permanent and display a numbering system.

Mrs. Hansohn stated that she had received requests from citizens to make the decal smaller. Mr. DeJarnette indicated that the current decal was similar in size to the Virginia inspection sticker, but he would ask the vendor to supply samples of what other localities were using for permanent decals. Mr. Walker noted that approximately 30 counties had eliminated the annual decal and 10 had gone to a permanent decal. Mr. DeJarnette added that another 15 to 20 localities were researching what they would be doing in 2007.

Mr. Walker noted that because of the computer systems that were available to locate and track motor vehicle information, it was not as important to have an annual sticker. He

asked Mr. DeJarnette if he was comfortable with the changes in the ordinance that Mr. Taylor had made. Mr. DeJarnette replied that he was comfortable with a permanent decal and the prorations of moving from an April 15 due date to a December-to-December license tax year.

Mr. Walker thanked Mr. DeJarnette for his help and asked Mrs. Terry Yowell, Commissioner of the Revenue, if she was comfortable with the changes as well. He noted that the Commissioner would still have to do her mailing and mailing costs would have to be moved from the Treasurer's Office to the Commissioner's office.

Mrs. Yowell agreed and stated she would provide Mrs. Hansohn with information regarding the amount of actual tax revenues received and the amount coming from current decal fees.

Mr. Walker moved, seconded by Mr. Nixon, to move forward with advertising the proposed amendments to Chapter 10 for a public hearing.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the second item pulled from the Consent Agenda was a recommendation from the Rules Committee that the Board authorize a public hearing for February 6, 2007 to receive comments on an Ordinance to amend Section 12-2(a) of the County Code to Adopt an Alternative Method of Filing Tangible Personal Property Tax Returns for Motor Vehicles, Trailers and Boats.

Mr. Taylor stated that the proposed amendment would shift the requirement of a personal property tax return from every taxpayer every year to an alternative method allowed for under the State Code. The amendment would allow the Commissioner to rely on prior returns if there were no changes in the identification of the taxpayer, address, property situs, etc. He asked the Board for authorization to advertise for a public hearing at the February meeting.

Mr. Nixon explained that the change would be considered "filing by exception". He said if there were no changes in vehicles, a citizen would not be required to file and the Commissioner would use the prior year's records. He stated that the reason for the change was to reduce the paperwork and mailings for the Commissioner, to streamline the process, and to save taxpayer dollars.

Mr. Walker noted that the Commissioner had been in agreement with proceeding in this direction and Mrs. Yowell if she had any comments.

Mrs. Yowell stated she was in agreement with the ordinance and would like to see the

change made this year. She explained that her office would still send out the return pertaining to personal property, listing the assets on record and tax status in Culpeper County as of January 1, and, if the form was correct, the taxpayer would not have to return the form. She pointed out that there was a great deal of annual data entry involved with what was commonly called “affirmative filing” under the current ordinance. When the form was returned to the Commissioner’s office, staff had to manually key in the filing dates and the filing penalty, but the information regarding County decals could be captured electronically. She noted that the amendment was one way to reduce paperwork and workload involved with manual data entry.

Mrs. Hansohn asked who actually sent out the form. Mrs. Yowell replied that her office sends out the report of tangible personal property, and the reporting form had been included with the decal application to save postage.

Mrs. Hansohn explained she had started the discussions because she had received requests from constituents who would like to pay personal property taxes twice a year, and the “filing by exception” was a first step toward doing that. She asked whether a notice could be included with the mailing that the taxpayers could pay their taxes before December 5, if they wished, or could pay monthly, quarterly, or twice a year. Mrs. Yowell replied that she did not believe there was any legal reason why she could not insert an informational sheet with the tax notices. She added that everything that happened in the Commissioner’s office was reported in the *Culpeper Minutes*, which reached every postal box.

Mr. Walker noted that the Town’s Finance Committee met recently, and asked whether there was a discussion regarding this issue. Mrs. Yowell stated that she had continued discussions with Mr. Neal Deane, Town Treasurer, regarding progress and no decisions had been made. She said the Town was waiting to see how the County proceeded. Mr. Walker felt there may be a problem because the Town used a different software program than the County. Mrs. Yowell noted that the Town was currently looking at alternative software and she hoped that they would select a program that was compatible with the County’s software.

Mr. DeJarnette stated he talked with Mr. Deane before the holidays, but he did not know what transpired at the Town’s recent Finance Committee meeting. He said it would not make sense for the Town to retain decals if the County totally eliminated them, and he thought the Town would adopt a permanent decal if the County chose to do so. He said he would contact Mr. Deane and report back to the Board.

Mr. Walker moved, seconded by Mr. Nixon, to advertise for “filing by alternate” method of filing tangible personal property tax returns.

Mrs. Hansohn asked whether the Rules Committee would continue to review the option to pay taxes in advance. Mr. Walker assured her that the Committee was exploring many different options in an endeavor to improve the process for the citizens.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker thanked the Treasurer and the Commissioner for their participation and hard work.

Mr. Walker reported that the second recommendation from the Rules Committee was a refund request from the Culpeper Recreation Foundation, Inc.

Mr. Walker moved, seconded by Mr. Nixon, to approve a refund request from the Culpeper Recreation Foundation for electrical permits in the amount of \$365.23.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the third item was a motion to approve an agreement with the Central Area Mountain Biking Organization (CAMBO). He asked Mr. John Barrett, Parks and Recreation Director, to provide a summary.

Mr. Barrett stated that subsequent to the Rules Committee, Mr. Kennedy, CAMBO President, asked that consideration of the agreement be postponed to allow time for a review with CAMBO members and their attorney to ensure their concurrence.

Mr. Nixon moved, seconded by Mr. Walker, to refer the agreement back to the Rules Committee for further discussion.

Mr. Coates asked whether the "property" where no motorized vehicles would be allowed included the entire property. Mr. Barrett replied that the discussion covered not having motorized vehicles on the trail system itself, but not the entire property. Mr. Coates noted there had been problems with motorized vehicles on the property.

Mr. Walker asked Mr. Maddox if he understood the issue expressed by Mr. Coates. Mr. Maddox replied that he would study the issue and revise the language in the agreement to address Mr. Coates' concern prior to the next Rules Committee meeting. Mr. Walker asked Mr. Barrett to assist in identifying the property and to relay that information to CAMBO.

Mr. Chase and Mr. Barrett discussed the benefits that CAMBO would be providing for the County, such as providing liability insurance through its international organization,

development and maintenance of the trails, and security with a locked entrance. Mrs. Hansohn noted that the volunteers had provided hard labor to build the trails. Mr. Barrett agreed and noted the expertise provided by the volunteers as well.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the fourth item from the Rules Committee was a recommendation to deny the request from the City of Fredericksburg to partner with them and to provide financial support for a Watershed Property Manager/River Steward position.

Mr. Chase moved, seconded by Mrs. Hansohn, to deny the request from the City of Fredericksburg.

Mr. Chase asked that the Rules Committee consider billing the City of Fredericksburg for police protection and zoning services provided by the County. Mr. Walker stated he would take the suggestion under advisement.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #2 for details of meeting.

Mr. Coates called for a recess at 11:25 a.m.

Mr. Coates called the meeting back to order at 11:40 a.m.

PUBLIC WORKS COMMITTEE REPORT - DECEMBER 12, 2006

Mrs. Hansohn reported that the Public Works Committee met and there were no action items. See Attachment #3 for details of meeting.

PUBLIC SAFETY COMMITTEE REPORT - DECEMBER 14, 2006

Mr. Nixon reported that the Public Safety Committee met and was forwarding the following recommendations to the full Board:

1. Recommending that the final draft of the RFP for fire and rescue insurance be approved by the Fire and Rescue Association before released, and that the Evaluation Committee formed consist of a member of the Fire and Rescue Association, a County representative, and an independent agent to evaluate the proposals.

Mr. Nixon recalled that there had been discussion last year in Committee regarding some discrepancy from Fire and Rescue in terms of the insurance policy that was going to be issued. He said the Committee obtained comments from the Fire and Rescue Association and

prepared a new RFP for fire and rescue insurance for this year.

Mr. Nixon moved, seconded by Mr. Walker, to approve the final draft of the RFP, provide a copy of the final draft to the Fire and Rescue Association, issue an RFP, and form a group consisting of a County representative, an independent insurance agent, and members of the Fire and Rescue Association to review the bids received.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #4 for details of meeting.

E-9-1-1 BOARD OF DIRECTORS REPORT - DECEMBER 14, 2006

Mrs. Hansohn reported that the E-9-1-1 Board of Directors met and there were no action items. See Attachment #5 for details of the meeting.

ECONOMIC DEVELOPMENT REPORT

Mr. Carl Sachs, Director of Economic Development, provided a spreadsheet updating his initiative to track commercial properties. He noted several additions had been made in the form as a result of input from the Building Official's office: The dates the building permit, stocking permit, and occupancy permit were issued. He said the Center at Culpeper and Culpeper Colonnade (including the Target store) were the two major projects in which the Building Office was active.

Mr. Sachs announced that Mr. Paul Gaul, the new Plant Manager of Structural Systems, would be today's luncheon guest.

AIRPORT ADVISORY COMMITTEE REPORT - DECEMBER 13, 2006

Mr. Bossio reported that the Airport Advisory Committee met and there were no action items.

ADMINISTRATOR'S REPORT

Mr. Bossio made the following announcements:

a. A Work Session on Transportation had been scheduled for January 16, 2007 at 7:00 p.m. and a special called meeting at 6:00 p.m. to discuss two contractual issues.

. Mr. Walker moved, seconded by Mr. Nixon, to have a special called meeting at 6:00 p.m. in the Board room on January 16, 2007, prior to the work session at 7:00 p.m.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

b. A joint meeting with Town Council had been scheduled for January 17, 2007 to discuss water and sewer.

c. Mrs. Crane wanted to remind the Board members that disclosure statements would be due to her by January 10.

Mr. Chase asked whether the joint meeting with the Town was to discuss only the water and sewer or was annexation to be included. Mr. Bossio replied that the meeting would be an all-inclusive discussion meeting. Mr. Chase asked whether "all-inclusive" included annexation. Mr. Bossio stated that the nine points set forth by the Town included boundary adjustments.

Mrs. Hansohn and Mr. Walker asked for more details regarding time and place for the meeting with the Town. Mr. Bossio replied that a time had not been set, but it would be held in the evening. He noted that the location had not been determined, but the Germanna Tech Center and the Depot were being considered.

Mr. Maddox recommended that a motion be made in order to generate official notices.

Mr. Chase questioned whether a meeting could be voted on without knowing the specific topics to be discussed. Mr. Maddox replied that it would be sufficient for the purposes of the motion that the topic would be all-inclusive, water and sewer/boundary adjustment and related topics, and more specific information would be included in the written notices to be published.

Mr. Nixon moved, seconded by Mr. Walker, to have a joint meeting with the Town on January 17, at a time and place to be determined, to discuss the nine points submitted to the County Board in February 2006; and the nine points were all-inclusive which included boundary adjustments.

Mr. Maddox stated it was his understanding, as Mr. Bossio suggested, that the purpose of the joint meeting was to discuss the nine points and related issues. He said if the discussion was limited solely to the nine-points, it may not include other warrants that were contract issues.

Mr. Nixon amended his motion to include the nine points and other related water and sewer issues. Mr. Walker agreed with the amendment.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CLOSED SESSION

Mr. Nixon moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) Readvertising for an appointment

to the Agricultural Resource Advisory Committee; (B) readvertising for an appointment to the Disability Services Board; (C) consideration of an appointment to the Human Services Board; (D) readvertising for an appointment to the Joint Board of Building Code Appeals; (E) readvertising for an appointment to the Rappahannock-Rapidan Community Services Board; (F) readvertising for an appointment to the Public Transportation Advisory Committee; and (G) consideration of an appointment to the 2007 Board of Equalization, and readvertising for additional appointments.

2. Under *Virginia Code* §2.2-3711(A)(7), for discussion with legal counsel and staff regarding actual litigation concerning changes in ordinances where discussion in an open meeting would adversely affect the negotiating and litigation posture of the County.

3. Under *Virginia Code* §2.2-3711(A)(7) to discuss with County staff and counsel specific litigation involving the County, where discussion in an open meeting would adversely affect the negotiating and litigation posture of the County.

4. Under *Virginia Code* §2.2-3711(A)(5) & (A)(7), for discussion with legal counsel and staff to consider a new, alternative fuel industry to be located in the County, south of Town, and which has not previously been announced.

5. Under *Virginia Code* §2.2-3711(A)(5) & (A)(7), for discussion with legal counsel and staff the status of a new, prospective hi-tech business to be located in the County, southeast of the Town of Culpeper.

6. Under *Virginia Code* §2.2-3711(A)(7) & (A)(30), for discussion with legal counsel and staff to consider entering into one or more agreements with another public entity and legal issues of performance under several existing agreements with the same public entity, where discussion in an open meeting would adversely affect the bargaining or negotiation strategy of the County.

7. Under *Virginia Code* §2.2-3711(A)(1) & (A)(7), for discussion with legal counsel and staff regarding the evaluation of performance of County appointees and a specific department relating to public safety.

Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Nay – Chase

Motion carried 6 to 1.

Mr. Coates recessed the meeting for lunch.

The Board entered into closed session at 1:30 p.m.

The Board returned to open session at 4:55 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Ayes – Aylor, Walker, Coates, Nixon, Rosenberger, Hansohn

Mr. Coates asked that the record show Mr. Chase did not stay for the entire closed session.

RE: AGRICULTURAL RESOURCE ADVISORY COMMITTEE

Mr. Nixon moved, seconded by Mrs. Hansohn, to readvertise for the vacancy on the Agricultural Resource Advisory Committee.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: DISABILITY SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Aylor, to readvertise for the vacancy on the Disability Services Board.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: HUMAN SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Walker, to appoint Dawn Klemann to serve on the Human Services Board.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: JOINT BOARD OF BUILDING CODE APPEALS

Mr. Nixon moved, seconded by Mr. Walker, to readvertise for the vacancy on the Joint Board of Building Code Appeals.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Aylor, to readvertise for appointment to the Rappahannock-Rapidan Community Services Board.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: PUBLIC TRANSPORTATION ADVISORY COMMITTEE

Mr. Nixon moved, seconded by Mrs. Hansohn, to readvertise for an appointment to the Public Transportation Advisory Committee.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: BOARD OF EQUALIZATION

Mr. Nixon moved, seconded by Mr. Walker, to appoint Frances Wright to the Board of Equalization.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: BOARD OF EQUALIZATION

Mr. Nixon moved, seconded by Mr. Rosenberger, to readvertise for individuals to serve on the 2007 Board of Equalization to fill 2 vacant positions.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: CONSIDERATION OF RESOLUTION TO READOPT ZONING ORDINANCE AMENDMENTS

Mr. Nixon moved, on behalf of the Board, seconded by Mr. Aylor, that the Board adopt a resolution to readopt Zoning Ordinance Amendments for M-1 and M-2 zones previously adopted on November 8, 2006.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Rosenberger, Walker

Nay - Nixon

Absent – Chase

Motion carried 5 to 1.

RE: JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION

Mr. Nixon moved, seconded by Mrs. Hansohn, that the Board advertise for a joint public hearing with the Planning Commission at the Board's 7:00 p.m. meeting on February 6, 2007 on the readoption of M-1 and M-2 amendments previously passed on November 8, 2006.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

ADJOURNMENT

Mrs. Hansohn moved to adjourn at 5:00 p.m.

Peggy S. Crane, CMC
Deputy Clerk

John F. Coates, Chairman

ATTEST:

Frank T. Bossio,
Clerk to the Board

APPROVED: February 6, 2007